

Access Management Ordinance

Section 0.1 – Intent

The provisions of this Article are intended to promote safe and efficient travel within the _____ (*name of jurisdiction*); minimize disruptive and potentially hazardous traffic conflicts; ensure safe access by emergency vehicles; protect the substantial public investment in the street system by preserving capacity and avoiding the need for unnecessary and costly reconstruction which disrupts business and traffic flow; separate traffic conflict areas by reducing the number of driveways; provide safe spacing standards between driveways, and between driveways and intersections; provide for shared access between abutting properties; implement the U.S. 2 Access Management Plan (insert name of Plan if there is one) recommendations; ensure reasonable access to properties, though not always by the most direct access; and to coordinate access decisions with the Michigan Department of Transportation and/or the Gogebic County Road Commission, as applicable.

Section 0.2 – One Access Per Parcel

A. All land in a parcel or lot having a single tax code number, as of the effective date of the amendment adding this provision to the Ordinance (hereafter referred to as "the parent parcel"), that shares a lot line for less than _____ feet [AT LEAST 330 FEET, BETTER IS 660 FEET] with right-of-way on U.S. 2, shall be entitled to one (1) driveway or road access per parcel from said public road or highway.

1. All subsequent land divisions of a parent parcel, shall not increase the number of driveways or road accesses beyond those entitled to the parent parcel on the effective date of this amendment.
 2. Parcels subsequently divided from the parent parcel, either by metes and bounds descriptions, or as a plat under the applicable provisions of the Land Division Act, Public Act 288 of 1967, as amended, or as a condominium project in accord with the Condominium Act, Public Act 59 of 1978, as amended, shall have access by a platted subdivision road, by another public road, by a private road that meets the requirements of Section _____, or by a service drive meeting the requirements of Section 0.40.
- B. Parent parcels with more than _____ feet [AT LEAST 330 FEET] of frontage on a public road or highway shall also meet the requirements of A.1 and A.2 above, except that whether subsequently divided or not, they are entitled to not more than one driveway for each _____ feet [AT LEAST 330 FEET, BETTER IS 660 FEET] of public road frontage thereafter, unless a registered traffic engineer determines that topographic conditions on the site, curvature on the road, or sight distance limitations demonstrate a second driveway within a lesser distance is safer or the nature of the land use to be served requires a second driveway for safety. If the parcel is a corner lot and a second driveway is warranted, the second driveway shall have access from the abutting street unless that street is of a higher functional classification.



Section 0.3 – Application Review, Approval and Coordination Process

- A. Standards of Road Authorities Apply All standards of the applicable road authority (either the Michigan Department of Transportation or the Gogebic County Road Commission, or both) shall be met prior to approval of an access application under this Article.
- B. Application, Review and Approval Process Applications for driveway or access approval shall be made on a form prescribed by and available at _____ (*insert name of jurisdiction*) and/or the Gogebic County Road Commission and Michigan Department of Transportation as applicable. [IF THE COMMUNITY ALREADY HAS A SITE PLAN REVIEW PROCESS, THE FOLLOWING ITEMS CAN BE ADDED TO THE EXISTING LIST OF SUBMITTAL REQUIREMENTS, IF THEY AREN'T ALREADY INCLUDED.]
1. Applications shall be accompanied by clear, scaled drawings (minimum of 1"=20') in triplicate showing the following items:
 - a. Location and size of all structures proposed on the site.
 - b. Size and arrangement of parking stalls on aisles.
 - c. Proposed plan of routing vehicles entering and leaving the site (if passenger vehicles are to be separated from delivery trucks indicate such on drawing).
 - d. Driveway placement.
 - e. Property lines.
 - f. Right-of-way lines.
 - g. Intersecting roads, streets and driveways within 300' either side of the property on both sides of the street.
 - h. Width of right-of-way.
 - i. Width of road surface.
 - j. Type of surface and dimensions of driveways.
 - k. Proposed inside and outside turning radii.
 - l. Show all existing and proposed landscaping, signs, and other structures or treatments within and adjacent to the right-of-way.
 - m. Traffic analysis and trip generation survey results, obtained from a licensed traffic engineer for all developments with over 100 directional vehicle trips per peak hour.
 - n. Design dimensions and justification for any alternative or innovative access design.
 - o. Dumpsters or other garbage containers.
 2. Applications are strongly encouraged to rely on the following sources for access designs, the National Access Management Manual, TRB, 2002; National Cooperative Highway Research Program (NCHRP), "Access Management Guidelines to Activity Centers" Report 348 and "Impacts of Access Management Techniques" Report 420; and the AASHTO "Green Book" A Policy on Geometric Design of Highways and Streets. The following techniques are addressed in these guidebooks and are strongly encouraged to be used when designing access:
 - a. Not more than one driveway access per abutting road
 - b. Shared driveways
 - c. Service drives: front, rear and perpendicular
 - d. Parking lot connections with adjacent property
 - e. Other appropriate designs to limit access points on an arterial or collector.
 3. Applications shall be accompanied by an escrow fee for professional review per the requirements of Section _____.



C. Review and Approval Process

The following process shall be completed to obtain access approval: [THE FOLLOWING PROCESS COULD BE INCORPORATED INTO THE SITE PLAN REVIEW PROCESS OF THE ZONING ORDINANCE IF THERE IS ONE, INSTEAD OF BEING LISTED SEPARATELY HERE.]

1. An Access Application meeting the requirements of Section 0.3.B.1 shall be submitted to the Zoning Administrator and on the same day to the Gogebic County Road Commission and/or the Michigan Department of Transportation, as applicable. [THE COMMUNITY COULD AGREE TO USE THE MDOT FORM FOR A STATE HIGHWAY OR THE COUNTY ROAD COMMISSION FORM FOR A COUNTY ROAD INSTEAD. SEE APPENDIX D FOR SAMPLE.]
2. The completed application must be received by the _____ Zoning Administrator at least ____ days (insert number, typically 14-30) prior to the Planning Commission meeting where the application will be reviewed.
3. The applicant, the Zoning Administrator and representatives of the Gogebic County Road Commission, the Michigan Department of Transportation and the Planning Commission may meet prior to the Planning Commission meeting to review the application and proposed access design. [SOME COMMUNITIES AND/OR ROAD AUTHORITIES MAY WANT THESE MEETINGS EVERY TIME, IF SO, CHANGE “MAY” TO “SHALL”.]
4. The Planning Commission shall review and recommend approval, or denial, or request additional information. They shall also forward the Access Application (and other relevant project information) to the

Gogebic County Road Commission and/or Michigan Department of Transportation for their review as applicable.

5. The Gogebic County Road Commission and/or the Michigan Department of Transportation, as applicable, shall review the access application and conclusions of the Planning Commission. One of three actions may result;
 - a. If the Planning Commission and the Road Commission, and/or the Michigan Department of Transportation, as applicable, approve the application as submitted, the access application shall be approved.
 - b. If both the Planning Commission and the Road Commission, and/or the Michigan Department of Transportation, as applicable, deny the application, the application shall not be approved.
 - c. If either the Planning Commission, Road Commission, and/or Michigan Department of Transportation, as applicable, requests additional information, approval with conditions, or does not concur in approval or denial, there shall be a joint meeting of the Zoning Administrator, a representative of the Planning Commission and staff of the Gogebic County Road Commission, and/or the Michigan Department of Transportation, as applicable, and the applicants. The purpose of this meeting will be to review the application to obtain concurrence between the Planning Commission and the applicable road authorities regarding approval or denial and the terms and conditions of any permit approval.
6. No application will be considered approved, nor will any permit be considered valid unless all the above-mentioned agencies have indicated approval unless approval by any of the above-mentioned



agencies would clearly violate adopted regulations of the agency. In this case the application shall be denied by that agency and the requested driveway(s) shall not be constructed. Conditions may be imposed by the Planning Commission to ensure conformance with the terms of any driveway permit approved by a road authority.

7. The Zoning Administrator shall keep a record of each application that has been submitted, including the disposition of each one. This record shall be a public record.
8. Approval of an application remains valid for a period of one year from the date it was authorized. If authorized construction is not initiated by the end of one (1) year, the authorization is automatically null and void. Any additional approvals that have been granted by the Planning Commission or the Zoning Board of Appeals, such as Special Use Permits, or variances, also expire at the end of one year.
9. An approval may be extended for a period not to exceed _____ [TYPICALLY 6 MONTHS TO ONE YEAR]. The extension must be requested, in writing by the applicant before the expiration of the initial approval. The Zoning Administrator may approve extension of an authorization provided there are no deviations from the original approval present on the site or planned, and there are no violations of applicable ordinances and no development on abutting property has occurred with a driveway location that creates an unsafe condition. If there is any deviation or cause for question, the Zoning Administrator shall consult a representative of the Gogebic County Road Commission and/or the Michigan Department of Transportation, as applicable, for input.
10. Re-issuance of an authorization that has expired requires a new Access Application form to be filled out and processed independently of previous action.
11. The applicant shall assume all responsibility for all maintenance of such driveway approaches from the right-of-way line to the edge of the traveled roadway.
12. Where authorization has been granted for entrances to a parking facility, said facility shall not be altered or the plan of operation changed until a revised Access Application has been submitted and approved as specified in this Section.
13. Application to construct or reconstruct any driveway entrance and approach to a site shall also cover the reconstruction or closing of all nonconforming or unused entrances and approaches to the same site at the expense of the property owner.
14. When a building permit is sought for the reconstruction, rehabilitation or expansion of an existing site or a zoning or occupancy certificate is sought for use or change of use for any land, buildings, or structures, all of the existing, as well as proposed driveway approaches and parking facilities shall comply, or be brought into compliance, with all design standards as set forth in this Ordinance prior to the issuance of a zoning or occupancy certificate, and pursuant to the procedures of this section.



15. _____ (insert name of jurisdiction) and the Gogebic County Road Commission and/or the Michigan Department of Transportation, as applicable, may require a performance bond or cash deposit in any sum not to exceed \$5,000 for each such approach or entrance to insure compliance with an approved application. Such bond shall terminate and deposit be returned to the applicant when the terms of the approval have been met or when the authorization is cancelled or terminated.

Section 0.4 – Service Drives and Other Shared Access Standards

A. The use of shared access, parking lot connections and service drives, in conjunction with driveway spacing, is intended to preserve traffic flow along major thoroughfares and minimize traffic conflicts, while retaining reasonable access to the property. Where noted above, or where the Planning Commission determines that restricting new access points or reducing the number of existing access points may have a beneficial impact on traffic operations and safety while preserving the property owner's right to reasonable access, then access from a side street, a shared driveway, a parking lot connection, or service drive connecting two or more properties or uses may be required instead of more direct connection to the arterial or collector street. However, where traffic safety would be improved, and the driveway spacing requirements of this ordinance can be met, then direct connection to the arterial or collector street may be allowed in addition to a required service drive.

1. In particular, shared access, service drives or at least a connection between abutting land uses may be required in the following cases:
- a. Where the driveway spacing standards of this section can not be met.

- b. Where recommended in the U.S. 2 Access Management Plan and/or other corridor or sub-area master plans of _____ (name of jurisdiction).
- c. When the driveway could potentially interfere with traffic operations at an existing or planned traffic signal location.
- d. The site is along a collector or arterial with high traffic volumes, or along segments experiencing congestion or a relatively high number of crashes.
- e. The property frontage has limited sight distance.
- f. The fire (or emergency services) department recommends a second means of emergency access.

2. In areas where frontage roads or rear service drives are recommended, but adjacent properties have not yet developed, the site shall be designed to accommodate a future road/facility designed according to the standards of this Section. The Planning Commission may approve temporary access points where a continuous service drive is not yet available and a performance bond or escrow is accepted to assure elimination of temporary access when the service road is constructed. (See Section 2.4 Temporary Access Permits).

B. Notwithstanding the requirements of the _____ (community name and ord. No.) Land Division Ordinance, the standards for all service drives shall be as follows:

1. Site Plan Review - The Planning Commission shall review and approve all service drives to ensure safe and adequate continuity of the service drive between contiguous parcels as part of the site plan review process in Section _____.



2. Front and Rear Service Drives - A front or rear service drive may be established on property which abuts only one public road. The design of a service road shall conform with national design guidelines such as those identified in the National Access Management Manual by TRB, the AASHTO “Green Book”, and National Cooperative Highway Research Program (NCHRP), “Access Management Guidelines to Activity Centers” Report 348 and “Impacts of Access Management Techniques” Report 420.
3. Location - Service roads shall generally be parallel to the front property line and may be located either in front of, or behind, principal buildings and may be placed in required yards. In considering the most appropriate alignment for a service road, the Planning Commission shall consider the setbacks of existing and/or proposed buildings and anticipated traffic flow for the site.
4. Width and Construction Materials - A service drive shall be within an access easement permitting traffic circulation between properties. The easement shall be recorded with the County Register of Deeds. This easement shall be at least forty (40) feet wide. A service drive shall have a minimum pavement width of ____ (typically 26-36) feet, measured face to face of curb with an approach width of ____ feet (typically 36-39 feet) at intersections. The service drive shall be constructed of a paved surface material that is resistant to erosion and shall meet ____ (city or village, County Road Commission or MDOT -- depending on what road the service drive parallels) standards for base and thickness of asphalt or concrete, unless the community has more restrictive standards.
5. Snow Storage and Landscaping Area - A minimum of fifteen (15) feet of snow storage/landscaping area shall be reserved along both sides of the service drive. Frontage roads shall have a minimum setback of 30 feet from the right-of-way, with a minimum of 60 feet of storage at the intersection for entering and exiting vehicles as measured from the pavement edge (See Figure ____).
6. Distance from Intersection on Service Drives - Frontage road and service drive intersections at the collector or arterial street shall be designed according to the same minimum standards as described for driveways in Section ____.
7. Driveway Entrance - The Planning Commission shall approve the location of all accesses to the service drive, based on the driveway spacing standards of this Article (or Chapter). Access to the service drive shall be located so that there is no undue interference with the free movement of service drive and emergency vehicle traffic, where there is safe sight distance, and where there is a safe driveway grade as established by the applicable road authority (local, MDOT or CRC).
8. Driveway Radii - All driveway radii shall be concrete curbs and conform with the requirements of Section ____.
9. Acceleration Lanes and Tapers - The design of the driveway, acceleration, deceleration or taper shall conform with the requirements of Section ____.
10. Elevation - The elevation of a service drive shall be uniform or gently sloping between adjacent properties.
11. Service Drive Maintenance - No service drive shall be established on existing public right-of-way. The service drive shall be a public street (if dedicated to and accepted by the public), or a private road maintained



by the adjoining property owners it serves who shall enter into a formal agreement for the joint maintenance of the service drive. The agreement shall also specify who is responsible for enforcing speed limits, parking and related vehicular activity on the service drive. This agreement shall be approved by the _____ (municipal) attorney and recorded with the deed for each property it serves by the County Register of Deeds. If the service drive is a private road, the local government shall reserve the right to make repairs or improvements to the service drive and charge back the costs directly or by special assessment to the benefiting landowners if they fail to properly maintain a service drive.

12. Landscaping - Landscaping along the service drive shall conform with the requirements of Section ____ (reference applicable landscaping standards). Installation and maintenance of landscaping shall be the responsibility of the developer or a property owners association.
13. Parking Areas - All separate parking areas (i.e. those that do not use joint parking cross access) shall have no more than one (1) access point or driveway to the service drive.
14. Parking - The service road is intended to be used exclusively for circulation, not as a parking, loading or unloading aisle. Parking shall be prohibited along two-way frontage roads and service drives that are constructed at the minimum width (see B.4. above). One-way roads or two-way roads designed with additional width for parallel parking may be allowed if it can be demonstrated through traffic studies that on-street parking will not significantly affect the capacity, safety or operation of the frontage road or service drive. Perpendicular or angle parking along either side of a designated frontage road or service drive is prohibited. The Planning Commission may require the posting of "no

parking" signs along the service road. As a condition to site plan approval, the Planning Commission may permit temporary parking in the easement area where a continuous service road is not yet available, provided that the layout allows removal of the parking in the future to allow extension of the service road. Temporary parking spaces permitted within the service drive shall be in excess of the minimum required under Article____, Parking and Loading Standards.

15. Directional Signs and Pavement Markings - Pavement markings may be required to help promote safety and efficient circulation. The property owner shall be required to maintain all pavement markings. All directional signs and pavement markings along the service drive shall conform with the current Michigan Manual of Uniform Traffic Control Devices.
16. Assumed Width of Pre-existing Service Drives - Where a service drive in existence prior to the effective date of this provision has no recorded width, the width will be considered to be _____ (typically 40-66) feet for the purposes of establishing setbacks and measured an equal distance from the midpoint of the road surface.
17. Pedestrian and Bicycle Access - Separate, safe access for pedestrians and bicycles shall be provided on a sidewalk or paved path that generally parallels the service drive unless alternate and comparable facilities are approved by the Planning Commission.
18. Number of Lots or Dwellings Served - No more than twenty-five (25) lots or dwelling units may gain access from a service drive to a single public street.



19. Service Drive Signs - All new public and private service drives shall have a designated name on a sign meeting the standards on file in the office of the Zoning Administrator.
20. In the case of expansion, alteration or redesign of existing development where it can be demonstrated that pre-existing conditions prohibit installation of a frontage road or service drive in accordance with the aforementioned standards, the Planning Commission shall have the authority to allow and/or require alternative cross access between adjacent parking areas through the interconnection of main circulation aisles. Under these conditions, the aisles serving the parking stalls shall be aligned perpendicularly to the access aisle, as shown in Figure 2-6c, with islands, curbing and/or signage to further delineate the edges of the route to be used by through traffic.

